

D/L 48
24.09.2024
Rohit
ct.no.7

W.P.A. 21123 of 2024

**Samsuddin Sk
Versus
State of West Bengal and others**

Md. Shamimuddin
Sk. Samirul Haque
...for the petitioner.

Mr. Samik Ganguli
Mr. Supriyo Sashmal
Ms. Chandana Chakraborty
...for the private respondents

Ms. Sabnam De Bardhan
Ms. Kakali Naskar
...for the State.

The learned advocate for the petitioner submits that the police authorities have not taken any steps pursuant to the complaint lodged by the petitioner excepting the registration of an FIR.

The learned advocate appearing for the private respondent submits that there is a long standing civil dispute between the parties and a suit being Title Suit No. 151 of 2024 is pending before the learned Civil Judge, Junior Division, 6th Court, Alipore District South 24 Parganas and by an order dated January 31, 2024 the petitioner herein who is

the defendant in the said suit was restrained from dispossessing the plaintiffs who are the private respondents herein from the suit schedule property and/or interfering with the possession of the private respondents for a specified period. The learned advocate further submits that the learned Civil Judge by an order dated February 6, 2024 directed the police to grant necessary assistance for implementation of the order of injunction.

The learned Advocate further submits that the private respondents were also assaulted by the petitioner and a complaint in that regard was lodged before the police authorities and an FIR has also been registered. He submits that a complaint lodged by the petitioner is the counter blast to the complaint lodged by the private respondent.

The report filed by the learned Advocate for the State is taken on record.

The learned Advocate appearing for the State submits that after registration of FIR No. 277 dated 09.03.2024 on the basis of the complaint lodged by the petitioner, charge-sheet has been filed being C.S. No. 233/24 dated 29.03.2024 under Section 448/323/325/354/506/34 IPC.

The learned advocate appearing for the petitioner submits that no further steps have been

taken after registration of FIR being No. 475/24 dated 02.05.2024.

Further, the learned Advocate for the State submits that after completion of investigation the charge-sheet has also been submitted being charge-sheet no. 503/24 dated 29.06.2024 under Section 448/341/325/354/506/34 of IPC.

Thus, it appears that the police have taken steps pursuant to the complaint made by the petitioner. FIR was registered and after completion of investigation charge-sheet has also been filed. Therefore, there is no inaction on the part of the police authorities.

The parties will be at liberty to take appropriate steps before the Civil Court with regard to the inter se dispute between themselves in respect of the property which is the subject matter of the said civil suit.

With the above observations and directions the writ petition stands disposed of.

There shall be no order as to costs.

(Hiranmay Bhattacharyya, J.)